

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARC ANDERSON, KELLY NELSON, and  
JULIETTE MORIZUR on their own behalf  
and on behalf of a class of others similarly  
situated,

Plaintiffs,

v.

SEAWORLD PARKS AND  
ENTERTAINMENT, INC.,  
Defendant.

Case Number: 4:15-cv-02172-JSW

**JOINT STIPULATION TO ADJUST  
CLASS CERTIFICATION AND  
DISCOVERY SCHEDULE AND  
~~PROPOSED ORDER~~  
AS MODIFIED HEREIN**

Plaintiffs Marc Anderson, Kelly Nelson and Juliette Morizur (collectively “Plaintiffs”) and Defendant SeaWorld Parks and Entertainment, Inc. (“SeaWorld” or “Defendant”) (collectively, the “parties”) respectfully submit this joint stipulation to adjust the class certification briefing deadlines, hearing date for Plaintiffs’ motion for class certification, and discovery deadlines in this action.

WHEREAS, at the February 10, 2017 Initial Case Management Conference, this Court set a briefing schedule for Plaintiffs’ motion for class certification and initial discovery deadlines (*see* Dkt. No. 107);

WHEREAS, the parties have previously filed joint stipulations on five occasions to extend and/or adjust the time for SeaWorld to respond to pleadings and the briefing schedules for SeaWorld’s motions to dismiss, each of which was entered by the Court (*see* Dkt. Nos. 86, 95, 101, 110, 133);

WHEREAS, on September 18, 2017, in light of the parties’ joint stipulation, the Court adjusted the class certification and discovery schedule (*see* Dkt. 133). As per this schedule,

1 Plaintiffs' motion for class certification is due March 23, 2018 and fact discovery is scheduled to  
2 close on June 22, 2018.

3 WHEREAS, the parties had tentatively scheduled a first set of depositions of SeaWorld  
4 employees for the last week of January 2018, with additional depositions to follow. However, on  
5 January 10, 2018, the Department of Justice moved to intervene in the case and sought a stay on  
6 all depositions until April 2, 2018 due to an ongoing criminal investigation of SeaWorld. *See*  
7 Dkt. 165.

9 WHEREAS, the parties did not oppose the limited stay on discovery on the  
10 understanding that the case schedule could be appropriately adjusted, and the Court granted such  
11 stay. *See* Dkt. 175.

13 WHEREAS, the parties continue to diligently participate in written discovery and  
14 produce relevant documents. However, in light of the stay on depositions, the parties will be  
15 unable to meet the current deadlines set in this case.

16 NOW, THEREFORE, THE PARTIES BY COUNSEL HEREBY REQUEST that the  
17 Court direct the class certification and discovery schedule in this action be adjusted as follows:  
18

- 19 • June 1, 2018: Deadline for Plaintiffs to file motion for class certification.
- 20 • June 29, 2018: Deadline for SeaWorld to file opposition to motion for class  
21 certification.
- 22 • July 20, 2018: Deadline for Plaintiffs to file reply in support of motion for class  
23 certification.
- 24 • August 17, 2018 (or another date convenient for the Court): Hearing on motion for  
25 class certification.
- 26 • August 31, 2018: Close of fact discovery.
- 27
- 28

- September 7, 2018: (or another date convenient for the Court): Further Case Management Conference.

**IT IS SO STIPULATED**, through Counsel of Record.

DATED: February 8, 2018

COVINGTON & BURLING LLP

By: /s/ Udit Sood

Udit Sood

*Attorneys for Plaintiffs Marc Anderson, Kelly Nelson, and Juliette Morizur*

DATED: February 8, 2018

KINSELLA WEITZMAN ISER KUMP &  
ALDISERT LLP

By: /s/ Lawrence Y. Iser

Lawrence Y. Iser

*Attorneys for Defendant  
SeaWorld Parks & Entertainment, Inc.*

### **CERTIFICATION**

Pursuant to Civil L.R. 5-1(i)(3), the undersigned hereby attests that Lawrence Y. Iser has concurred in the filing of this document.

DATED: February 8, 2018

COVINGTON & BURLING LLP

By: /s/ Udit Sood

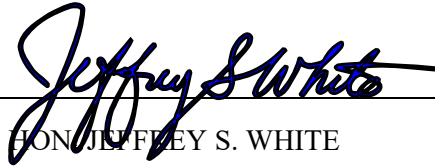
Udit Sood

*Attorneys for Plaintiffs Marc Anderson, Kelly Nelson, and Juliette Morizur*

~~PROPOSED~~ ORDER

Pursuant to stipulation, and good cause having been shown, **IT IS SO ORDERED.** AS MODIFIED BELOW.

Dated: February 8, 2018



HON. JEFFREY S. WHITE

UNITED STATES DISTRICT JUDGE

The hearing on the motion for class certification will be held on August 24, 2018 at 9:00 a.m.

Fact discovery will close on September 7, 2018.

The Court will hold a further case management conference on October 5, 2018 at 11:00 a.m.